

1 Q. Okay. Were you honest with the SBI?

2 A. Yes.

3 Q. Were you truthful to them?

4 A. Yes.

5 Q. Okay. I'm going to turn to page 3 and the one,  
6 two, third full paragraph. You state -- or the -- I  
7 should say the SBI agent interviewing you writes down,  
8 "Out of all the controlled purchases that Aspirin  
9 completed," comma, "only one buy was good." Do you  
10 remember stating that to the SBI agent?

11 A. As far as that specific statement, I don't  
12 recall it. I mean, if he transcribed it, I -- I know  
13 from reviewing the statement there are some errors in his  
14 statement about our conversation --

15 Q. Is your testimony that that's an error?

16 MR. PETTEY: Let him finish. Are you done with  
17 your answer?

18 BY MR. SCHEWEL:

19 Q. Go ahead.

20 A. At that time, you know, it may have been my  
21 belief that the pill buy was the one good buy. In  
22 hindsight and knowing now some additional information,  
23 it's my belief that additional controlled buys were good,  
24 but I may have not been present for them.

25 Q. Okay. What additional information have you

1           A.    It would have been -- where my desk is here  
2           (indicating), he would have been sitting two chairs over,  
3           distance-wise, and I was just coaching him, not --

4           Q.    Okay.

5           A.    I'm not over his shoulder, like assisting him.

6           Q.    But he could look at your computer screen and  
7           see what you were doing to see what to do?

8           A.    I mean, I'm not -- I'm just literally verbally  
9           giving him cues, like, "This is how you do it."

10          Q.    Okay. And that was prior to May 21, 2020?

11          A.    Correct.

12          Q.    Did he tell you that he looked up the results?

13          A.    I don't believe so. I think I literally -- so  
14          we didn't communicate with each other very much. Like,  
15          it was kind of a big deal for him to ask me for help  
16          because we just didn't get along.

17          Q.    Did you learn that the results were negative?

18          A.    After all this started snowballing, yes.

19          Q.    So your testimony is that you did not learn that  
20          the heroin had tested negative from CCBI until after  
21          May 21, 2020?

22          A.    Correct.

23                MR. SCHEWEL: Norwood, you can hit PC if you  
24          want.

25                MR. BLANCHARD: PC?

1 this time after this arrest, you were suspicious of  
2 Aspirin?

3 A. Specifically on this particular day, I don't  
4 recall my feelings. Looking back at what we know now, I  
5 can look at that and go like, "Yeah, something's not  
6 right there."

7 Q. Okay. But at the time, you don't recall whether  
8 or not you had suspicions --

9 A. Correct.

10 Q. -- at that point? Were you ever present for a  
11 takedown involving Aspirin and Abdullah where heroin was  
12 located on the person seized?

13 A. I don't believe so.

14 Q. How about where heroin was located at their home  
15 or apartment?

16 A. I don't recall.

17 Q. And I think you testified to this earlier, but  
18 was it your belief that Mr. Williams or Aspirin was  
19 purchasing marijuana and not actually purchasing heroin?

20 A. With hindsight knowledge, that is my belief.

21 Q. Okay. And how do you believe that the fake  
22 heroin was produced?

23 A. I think he was concealing it, probably -- if I  
24 had to guess, somewhere probably in his butt crack or up  
25 under his nuts, and that's how it was being missed on a

1 the informant wears. It does not wirelessly transmit.  
2 It's -- all the data is stored on the device itself.

3 Q. And so y'all went on your own, took the camera  
4 and downloaded and watched it?

5 A. Yes.

6 Q. And the videos, where are they stored?

7 A. That -- the body-worn video would be stored, I'm  
8 assuming, on the assigned detective's hard drive. The  
9 phone videos would be stored on a third-party server that  
10 we contract with.

11 Q. And do you have access to that?

12 A. Not to the detectives' files. I would have  
13 access to the phone files, but I would have no reason to  
14 look at them other than my personal cases.

15 Q. And by the phone files, you mean the 10-21 app  
16 files?

17 A. Correct.

18 Q. So I just want to make sure I'm clear. With the  
19 earlier cases, you didn't think it was as big of an issue  
20 because you felt, at least, you had probable cause to  
21 charge them with selling fake heroin?

22 A. We believed that probable cause existed that a  
23 crime was occurring. We thought the entire time that  
24 these people were selling -- or not the entire time, but  
25 leading up towards, as this progressed on and on and on,

1 it was our belief that he was being sold fake heroin, but  
2 we didn't have the personal, intimate details of each  
3 investigation and lab results to definitively say that  
4 because they weren't our cases.

5 At the end of the day, the investigator has to  
6 work his case and then collaborate with the DA's office  
7 to successfully prosecute them. Do we collaborate with  
8 each other? If you have a professional working  
9 relationship, yes, but Detective Abdullah did not have  
10 that relationship with us.

11 Q. What level felony is selling fake narcotics?

12 A. Class I, I believe.

13 Q. What is trafficking heroin?

14 A. Depending on the level, I think the highest  
15 level is a class C felony for level 3 trafficking, I  
16 think spanning from there to class G for the trafficking  
17 and then class H for possession with intent.

18 Q. So did you not think it was an issue that folks  
19 were being charged with a much higher level felony than  
20 they were actually -- what you believed you had probable  
21 cause for?

22 MR. PETTEY: Objection.

23 THE WITNESS: Yeah. As far as the class, it  
24 didn't, I guess, ring into my thought of the process, in  
25 my mind. The charges would be -- you know, if the system

1 physical and electronic surveillance. But that  
2 particular neighborhood is a very difficult one to  
3 conduct surveillance in.

4 Q. So as you sit here today, you can't say for  
5 certain if any detective actually saw Aspirin enter  
6 1628-B?

7 A. I don't know what the other detectives saw, no.

8 Q. Did any of them tell you that they saw that?

9 A. I don't believe.

10 MR. SCHEWEL: I have no further questions.

11 EXAMINATION

12 BY MR. BLANCHARD:

13 Q. Sergeant Rattelade, my name is Norwood  
14 Blanchard. I represent Sergeant Rolfe, retired Sergeant  
15 Rolfe, I guess you'd say at this point.

16 When Mr. Schewel was asking you some questions  
17 earlier about the -- the earlier buys involving Abdullah  
18 and the confidential informant, Aspirin, you mentioned  
19 that your conclusion or your belief at the time -- and I  
20 think you understood this to be the belief of the other  
21 members of the team -- was that Aspirin was being scammed  
22 by the suspects; is that correct?

23 A. Yes, sir.

24 Q. That they were selling counter- -- counterfeit  
25 controlled substances?

1 correctly, that -- given the buy bust and people moved  
2 in, so just a general statement of saying that went  
3 smooth.

4 Q. Did he hand you the heroin at that point?

5 A. Yes, he handed me the package. I threw it down  
6 in my cup holder. I dumped him out behind the shopping  
7 center at 1100 Raleigh Boulevard and then went back to  
8 the scene because it was getting kind of chaotic out  
9 there.

10 Q. Why was it getting chaotic?

11 A. I wasn't there when it all -- the initial entry.  
12 It's a neighborhood known for coming out and being  
13 confrontational with law enforcement, so that could be my  
14 speculation. But my help was needed at the scene, so  
15 that's why I dumped him out and went back.

16 Q. Okay. And when you dumped him out, was he by  
17 himself?

18 A. Yes.

19 Q. Do you know where he went?

20 A. I put him out behind the shopping center and  
21 gave him instructions to stay there until Abdullah came  
22 and picked him up.

23 Q. Did he do that?

24 A. I have no idea.

25 Q. So did you frisk Aspirin after he came back into